Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of Telephone Number Portability	CC Docket No. 95-116

REPLY COMMENTS OF VERIZON

The Commission's Further Notice sought comments on two possible changes to existing number portability requirements — changes to require a LEC to port certain CMRS numbers into the end office switches that the LEC uses to serve the porting customer and to drastically shorten the porting interval for LECs. The comments are unanimous that both would be substantial undertakings — no commentor suggests anything to the contrary. For that reason, most commentors urge the Commission not to make these changes. And while some commentors do support them, none of them offers any facts — any attempt to quantify the presumed consumer benefits — that would justify such undertakings.

1. The Commission Should Not Change the Rules for CMRS-to-LEC Porting.

Everyone recognizes that instances of CMRS-to-LEC porting will be relatively rare. One commentor says that "it is not a real world issue"[1] and that "it is far from clear … that this commission's scarce resources are well spent worrying about this unusual — one might even say hypothetical — problem."[2] More concretely, Verizon and BellSouth report that roughly one

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[1] Centennial at 3 n.5.

[2] Centennial at 3.

percent of the intermodal ports are CMRS to LEC.[3] Part of the reason the Commission required CMRS portability, of course, was that it would be another source of competition for LECs; it was not because the Commission thought LECs would be new competition to CMRS providers.

Commentors also agree that customers can use foreign exchange (FX) service or other existing technical arrangements (like remote call forwarding) to keep their out-of-area CMRS numbers without necessitating significant changes to existing carrier systems. Verizon already offers these arrangements to prospective customers who say they want to keep CMRS numbers that are associated with a rate center that is different from the location of their Verizon service.[4] CTIA notes "port[ing] numbers from a wireless carrier to a local exchange carrier within the same MSA" is technically feasible because "wireline carriers can serve customers with numbers ported from wireless carriers on a Foreign Exchange (FX) or virtual FX basis."[5] Similarly, Nextel says that "ILECs could opt to serve customers with numbers ported from wireless carriers on a Foreign Exchange (FX) or virtual FX basis."[6] These arrangements are sufficient.

The Illinois CUB goes one step further than these commentors. It says that the Commission should actually require LECs to use FX arrangements for the porting-in customer. "[A]s the FCC mandated for wireline-to-wireless porting, the porting in carrier must maintain the number's original (wireless) rate center,"[7] rather give a customer local service that is based upon

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[3] Declaration of Michael O'Connor III ¶ 4, dated Feb. 4, 2004 ("O'Connor Dec.") (attached hereto at Attachment A); Verizon at 1; BellSouth at 12. Verizon believes that intermodal ports account for only one or two percent of all number ports involving CMRS providers (the 98 to 99 percent being between CMRS providers).

[4] See Verizon at 5 n.8.

[5] CTIA at 2.

[6] Nextel at 6.

[7] ILL CUB at 3-4.

the customer's real physical location. There is no reason for the Commission to take such a step and prevent a LEC from offering other calling arrangements that the consumer might want.

Some commentors note that there might be service issues with serving porting-in customers on an FX basis.[8] Any such issues, however, would not be unique to number ports and would exist in any FX arrangement that a telephone company offers today. As AT&T puts it, they are not "technical impediments to wireless-to-wireline porting," and they do not make these arrangements unsuitable for effectuating a number port.[9]

Requiring other arrangements for the porting in of CMRS numbers associated with other rate centers would be expensive.[10] The ILEC commentors explained these problems in some detail.[11] Nextel commented that other arrangements would be "complex and potentially costly."[12] No commentor says anything to the contrary.[13] There is nothing in the record to suggest that this sort of situation will arise anything other than rarely, making the costs to deal with it differently even more disproportionate.

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8 BellSouth at 16; SBC at 4-6.

9 AT&T at 5.

10 O'Connor Dec. ¶¶ 6-10.

11 See Verizon at 5-9; BellSouth at 4-11; SBC at 3-7.

12 Nextel at 3.

13 While Centennial correctly urges the Commission not to require any changes to solve this problem because it will rarely occur, it is wrong about how calls are routed. It says that in a number portability environment, carriers route calls based on the LRN not the NPA-NXX. Centennial at 3. This is not completely correct. While the LRN tells a carrier to what switch to deliver a call, it does not affect whether a carrier makes that delivery itself or hands the call off to another carrier. If a call appears to be toll based on the NPA-NXX, the originating LEC hands it off to the customer's presubscribed carrier without looking up the LRN. If the NPA-NXX says the call is local, the LEC will do the query and complete the call, even if the LRN indicates that the call is intraLATA toll.

Finally, when considering these questions, the Commission should keep in mind that this number porting is not the sort of "number portability" that the law requires a LEC to provide if it is technically feasible to do so. For a number port to be the "number portability" that is legally required, the customer must remain "at the same location."[14] Plainly, when a user wants to take a CMRS number associated with one geographic area and use it at a fixed physical location in a different geographic area, that user is not using the number at "the same location." Therefore, under the Act, a LEC does not have to accommodate such a request from a user just because it might be "technically feasible" for the LEC to do so.

This is different from the situation previously considered by the Commission, in which a customer wanted to port from a LEC to a CMRS provider which did not have a point of interconnection or numbering resources in the same rate center as the ported number. In that case, the LEC number could continue to be used within the rate center with which it was associated because the service area of the CMRS provider overlapped the LEC's service area. In fact, a LEC customer cutting the cord and discontinuing her residential wireline service in favor of wireless would certainly be using the wireless phone and telephone number at the same location as her old LEC service. Thus, unlike the customer porting from CMRS provider to LEC discussed above, this customer porting from a LEC to a CMRS provider stays "at the same location."

2. The Commission Should Not Change the LEC Porting Interval.

No commentor disagrees with the proposition that it would be costly, at the very least, for LECs to shorten the porting interval to a few hours. It is also clear that it would take an industry-wide effort make this happen. Qwest correctly points out that, depending on exactly what the Commission might ordered, changes might also be required to the shared industry Number

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[14] 47 U.S.C. § 153(30); 47 C.F.R. § 52.21(l).

Portability Administration Center systems.[15] Many, including Verizon, say that the benefits of a shorter interval cannot possibly match the substantial cost to do all this. Several commentors explained that the NANC is studying these issues and will report back to the Commission in a few months. There is certainly no need for the Commission to take any action in this area before it receives the NANC's advice.

Plainly the costs are significant.[16] AT&T notes, "Changing these systems to meet a randomly chosen porting interval would require carriers to automate certain functions and scrap others, resulting in the needless imposition of costs on carriers and customers."[17] It goes on to explain,

> "The argument that wireless and wireline porting intervals should be identical is based upon inapposite comparisons. The current four-day interval for simple wireline ports reflects the time necessary to update records and effectuate porting in the various wireline operations support systems ('OSS') that are implicated when a number is ported to a wireline carrier. These considerations apply to wireline-to wireless ports but are utterly irrelevant to wireless-to-wireless ports."[18]

Sprint urges the Commission to assure all carriers that they will be able to recover their upgrade costs to implement any shorter interval that the Commission might require, because that assurance would make carriers "much more willing to consider a reduced porting interval."[19] Verizon certainly agrees that such costs would be recoverable under the Commission's existing number portability cost recovery rules, but believes that Sprint misses the point here. Carriers should not be ordered to spend hundreds of millions of dollars to make system changes that do

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15 Qwest at 9-11.

16 See O'Connor Dec. ¶¶ 19, 28-29.

17 AT&T at 10.

18 AT&T at 7.

19 Sprint at 9.

not provide anywhere near commensurate benefits *even if* the carriers are going to be fully reimbursed for making them.

The facts are undisputed as to the costs of any change. At this point, however, there is nothing before the Commission that demonstrates any benefit of any significant magnitude, let alone that attempts to quantify that benefit. In fact, the proponents of imposing the CMRS interval on LECs offer only rhetoric to support their position. The best example of this *ipse dixit* is Nextel, which claims that four days "does not satisfy consumers,"[20] without offering evidence of even one customer who was not satisfied with a successful four-day port or who declined to port for that reason or, more important, of the extent of any dissatisfaction. Nextel goes on to assert "consumers are demanding and expecting a quicker turnaround on their port requests."[21] Again, however, Nextel does not provide any evidence of the prevalence of these demands or expectations. Moreover, if customer expectations are not being met — if there is some customer expectation of a shorter interval for these ports — that must be Nextel's own fault for misinforming consumers, because the Commission and the LECs have honestly told them what the intermodal porting interval will be.[22]

Nextel holds up the two-and-one-half-hour CMRS-to-CMRS interval as the standard that LECs should be held to. But the record suggests that CMRS providers themselves are not meeting that standard. Sprint reports that CMRS providers are "having difficulty achieving the

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[20] Nextel at 8.

[21] Nextel at 8.

[22] The Commission has told consumers that LEC-to-CMRS porting "could take several days" and advised them to "ask their new service provider [the CMRS carrier] how long the process will take." http://www.fcc.gov/cgb/NumberPortability/. If a consumer has an unrealistic expectation, he probably got it from his CMRS provider.

porting interval targets"[23] while AT&T says that CMRS carriers "have struggled to meet the two and one half hour porting interval."[24] In fact, "simple wireless-to-wireless ports have taken two and one half days or more to complete."[25] And just last week the Commission reported, "Most of the [4,734 CMRS portability informal] complaints concern alleged delays in porting numbers from one wireless carrier to another."[26]

Moreover, it appears that many CMRS providers are not even trying to meet the two-and-one-half-hour porting interval that Nextel wants to impose on the LECs. Rather, these carriers have chosen to use the longer interval and to use that longer interval *even on ports between CMRS providers* — in fact, 24 out of 162 are doing so now.[27] The decision by these carriers to use the longer interval affects ports with CMRS providers which have set shorter timers, as the longer interval is controlling in ports between carriers selecting different timers. There is nothing to suggest that the fact that this longer period is being used has made consumers disinclined to change carriers or diminished the amount of porting.

T-Mobile takes a more reasoned — and reasonable — approach. Rather than demagoguing for a two-and-one-half-hour interval, it suggests a more modest change, that is both significant and appears to be achievable. It suggests that carriers reduce the interval after the firm order confirmation from three days to two for simple intermodal ports with mechanized interfaces

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23 Sprint at 1.

24 AT&T at 7.

25 AT&T at 7.

26 News Release, Wireless Portability Complaints: 4,734 Consumer Complaints Since Porting Began on Nov. 24 (rel. Jan. 28, 2004).

27 O'Connor Dec. ¶ 30.

and ten-digit triggers,[28] a category that includes, at least for Verizon, most LEC-to-CMRS ports. T-Mobile says that this could be accomplished by the CMRS provider's activating the port at NPAC as soon as the LEC sets the trigger or initiating the port when it receives FOC.[29] The LEC would complete its order and disconnect the customer's wireline service at some point a day or two after the number has been ported to the CMRS provider. Verizon's initial review has found no technical reason that this could not be done.[30]

This would make matters somewhat more confusing for consumers, however. Today, a consumer porting from a LEC to a CMRS provider can be told that she can use her new wireless phone immediately to make calls and that calls will be delivered to that phone in roughly four days, at the same time (or a little before) her landline phone is disconnected. This relatively simple story is complicated under T-Mobile's proposal. The consumer would still be able to use her new phone immediately to make calls. However, she would be told that in two or three days, she would start to receive calls on that phone too, while still being able to use her wired phone to make, but not receive, calls for another couple of days.

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[28] T-Mobile at 5. A simple port involves accounts with a single line (porting one line of a multi-line account is not a simple port) which does not involve UNEs, complex switch transactions or a reseller. T-Mobile at 5-6; see North American Numbering Council, Local Number Portability Administration Working Group, 3rd Report on Wireless Wireline Integration § 3.1, dated September 30, 2000, *available at* www.npac.com/cmas/co_docs/WWISC3rdReport1200.doc.

[29] T-Mobile at 6.

[30] This situation with intermodal porting is different from LEC-to-LEC porting, and the fact that this approach might work in the intermodal context does not mean it can be used without carrier and customer confusion on ports between two LECs. This is because the intermodal port necessarily involves two different telephones and two different "lines." With a LEC-to-LEC port, the customer will almost always be using the same phone, and often the same access line, with both his old and new service, making a coordinated disconnection-connection handoff between the two LECs imperative.

Finally, CTIA candidly admits that the two-and-one-half-hour interval is just a "goal" of CMRS providers,[31] but that it is not a requirement like the existing LEC porting interval. And yet CTIA and its members want the Commission to regulate and mandate a porting interval for LECs, not just let the LECs set "goals" that they might or might not achieve. There is no reason that the length of the porting interval should be a legal requirement for some service providers and just a "goal" for other services providers with which they compete and with which they will be porting telephone numbers. Given the state of competition — both between and among LECs and CMRS providers —the Commission's approach to the porting interval should be to judge all providers the way it judges CMRS providers now, under "the reasonableness standard of section 201 of the Communications Act of 1934."[32]

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31 CTIA at 3.

32 *Telephone Number Portability*, 18 FCC Rcd 20971, ¶ 26 (2003

Conclusion

The Commission should not change its existing number portability rules.

Respectfully submitted,

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DECLARATION OF MICHAEL O'CONNOR III

MICHAEL O'CONNOR III, under penalty of perjury, states:

1. My name is Michael O'Connor, and I am Executive Director for Federal Regulatory Policy with Verizon. I have worked for Verizon and its predecessor companies for 15 years, and have had responsibilities for number portability and numbering-related issues for the past five years. I served as co-chair of the North American Portability Management Limited Liability Corporation for one year and am currently Verizon's primary representative to the North American Numbering Council.

2. The Commission has asked for comment concerning two possible changes in its number portability requirements. The first is whether to require local exchange carriers to make the modifications necessary so that a customer who ports to the LEC a CMRS telephone number that is associated with a rate center that is different from the location where the customer wants LEC service can have that number treated as if it were associated with the rate center in which the customer is physically located. The second is whether to require that the LEC porting interval be shortened to be comparable with the target interval used by some CMRS providers.

3. As described below, both changes would require significant changes to LEC systems and procedures. The first would also require the establishment of new industry-wide systems.

The Rate Center Question

4. The first two months of CMRS number portability has confirmed that there is little demand for porting telephone numbers from a CMRS provider to a LEC as compared to LEC-to-CMRS ports. Roughly one percent of Verizon's intermodal ports have been from CMRS provider to LEC. Furthermore, these intermodal ports account for only one or two percent of total CMRS porting activity, with 98 to 99 percent being ports between CMRS providers.

5. The Commission was correct when it found that there would be "adverse impacts to consumers resulting from wireless-to-wireline porting where the rate center associated with the wireless number is different from the rate center in which the wireline carrier seeks to serve the customer." Further Notice ¶ 43. Porting such a CMRS number to a LEC telephone at the customer's location could result in calls to and from that number being rated as toll calls when, based on the customer's location, they should be rated as local.

6. Fixing these rating and billing problems would be expensive for Verizon and for carriers generally, and these fixes would generate a new set of adverse consumer consequences. The only way to remedy these new problems would be for the Commission to mandate location portability beyond rate center boundaries, which it has declined to do in the past because it was inconsistent with the public interest. Nothing that has happened since then should change that conclusion.

7. Telecommunications carriers have based their rate structures and billing systems on rate centers for sixty years. This system allows carriers to charge different rates for calls between different rate centers. For billing purposes, rate centers are identified by exchange (or NXX) codes, the first three digits of the telephone number after the area code. Carrier billing systems

determine the end points of a call — and, therefore, how a call is to be billed — based on the NXXs of the calling and called telephone numbers.

8. If a LEC ports in a CMRS number associated with a rate center that is different from its customer's physical location, this system no longer works. This is because carrier billing systems cannot simply look at the NXXs of the calling and called telephone numbers to determine how the call is to be rated. To bill such calls correctly, Verizon (and other carriers) would have to create new database systems to keep track of the physical location of these ported-in out-of-area numbers. And this new database would have to be linked to Verizon's billing systems to allow those systems to consult the database to get the information needed to properly rate every call. This would, of course, make the bill-preparation process more complicated and much more time consuming, at substantial cost to the carrier and, ultimately, to the carrier's customers.

9. But that's not all. Carriers would have to exchange the information that is in these new databases. This would allow other LECs in the area to determine the new location of the ported CMRS number so that they would know how to bill their customers who called that number. Mechanisms to do this do not exist today and would have to be designed, developed and deployed by the industry.

10. Changes of this sort could, at great expense, solve the billing problem and ensure that calls would be billed correctly based on the real physical location of the calling and called parties. But these changes would all relate to systems that deal with call records *after* the call has been routed and completed. These changes would not affect how calls are handled in the network. If the Commission required the industry to fix the billing problem in this way without making any network changes, it would cause two new "adverse impacts to consumers," which would be even more expensive to remedy.

11. The first consequence would be that a call which the caller reasonably believed to be local based on the telephone number the caller dialed would actually be billed as toll. In order to prevent such unhappy surprises, the industry would have to develop real-time systems to identify toll calls and implement a new mechanism (such as, a voice message or toll-warning tone) to advise the caller that he is making a toll call before that call is completed and he starts to incur charges.

12. The second such adverse consequence is that calls could be completed by the wrong carrier. Today, end office switches decide whether to deliver a call to the caller's presubscribed toll carrier based on the area code and NXX of the number being called. Calls to and from these ported numbers that looked local to the switch might actually be rated as toll. A person who made such a call would expect the LEC to hand it off to his presubscribed intraLATA toll provider for completion and to be billed by that carrier rather than by the LEC. Conversely, the call from the porting customer's next-door neighbor might be incorrectly handed off to the neighbor's presubscribed carrier where the NXX of the ported-in number is not in the neighbor's local calling area.

13. Solving these two problems would necessitate a fundamental change in the way end office switches function today, in that they could no longer use the NXX of the called number to determine whether a call is local or toll and whether it must be handed-off to the caller's toll service provider. This is not a change that any individual service provider could make on its own, but could be accomplished only through industry-wide standards. No work of this type is currently underway.

14. The undertaking necessary to do all this would be the same as would be necessary for the industry to implement full location portability. The Commission concluded in 1996 that

requiring location portability was not in the public interest and that the disadvantages of location portability outweighed the benefits.

15. The North American Numbering Council subsequently examined location portability. It found that location portability would require similar, if not longer, planning, requirements, network, operations and customer care systems development and service provider implementation and testing time frames than had been required for service provider portability. Number Resource Optimization Working Group, Modified Report to the North American Numbering Council on Number Optimization Methods, § 7.3, dated October 20, 1998.

The Porting Interval

16. Many of the details of how LEC number portability works, including the time interval within which LECs must port telephone numbers, is contained in the Commission's rules. The Commission largely based these requirements on recommendations it received from the North American Numbering Council. Thus, section 52.26(a) of its rules states:

> "Local number portability administration shall comply with the recommendations of the North American Numbering Council (NANC) as set forth in the report to the Commission prepared by the NANC's Local Number Portability Administration Selection Working Group, dated April 25, 1997 (Working Group Report) and its appendices, which are incorporated by reference pursuant to 5 U.S.C. 552(a) and 1 CFR part 51. Except that: Section 7.10 of Appendix D of the Working Group Report is not incorporated herein."

That report adopted an agreement among ILECs and CLECs concerning number portability provisioning flows, one of the prongs of which was the firm-order-commitment-plus-three-day interval. Local Number Portability Administration Selection Working Group, Ex. E (LNPA Technical and Operational Requirements Task Force Report) at A1. This, therefore, is the requirement that is now in the Commission's rules.

17. The local exchange carrier industry has worked with the porting interval since it began providing number portability in 1997. LEC customers have not been reluctant to change carriers or to port because of the time it takes for a port to complete. In fact, more than 25 million telephone numbers were ported nationwide over the past three-year period.

18. The number portability provisioning model upon which the rules are based took years to develop and was the product of negotiation and compromise. As the NANC reported to the Commission, the basic number portability process flows were based on this interval. North American Numbering Council, Local Number Portability Administration Working Group, 3rd Report on Wireless Wireline Integration at 15, dated September 30, 2000 ("3rd Report"). Changing the interval would require changing the process flows between carriers. For example, these process flows provide for a 24-hour period for the new service provider and the old service provider to agree on a date to port the customer (that is, the LSR-LSC process), a process which, the NANC notes, involves "many variables" which already "make it challenging to meet the 24 hour interval to complete the ... process." 3rd Report at 9. In fact, the NANC reported, "Actual experience has shown that these times [for porting under existing industry process flows] are only met under ideal conditions." 3rd Report at 10. Drastically shortening the interval would require re-engineering of the processes and existing systems. For these reasons, the NANC concluded, "it is not feasible to shorten the current intervals." 3rd Report at 15.

19. In particular, as the NANC reported, the existing interval was adopted "by the wireline carriers in order to perform all of the system updates and any physical work required to accomplish the port." North American Numbering Council, Local Number Portability Administration Working Group, 2nd Report on Wireless Wireline Integration at 8, dated June 30, 2000. It would be extremely expensive for those carriers to change those processes now, costs

which consumers ultimately would bear. It cost Verizon well over $100 million to modify dozens of its then-existing operating support systems to provide number portability using the standard porting interval. Many of these systems, as well as the new systems Verizon had to deploy to support number portability, would have to be changed to accommodate a drastically shortened porting interval. Changes would be necessary in Verizon systems running from ordering through provisioning. While most simple number portability orders today flow through without manual intervention, a significant number do require special handling. Even if the systems were changed to incorporate a shorter interval, there would still be orders that would require manual handling, and they would not meet that standard.

20. Individual LEC systems and operations could have to be re-designed in two fundamental ways in order to achieve a porting interval of only a few hours.

21. First, today, Verizon processes an order to port out a customer's telephone number in the same way it processes many types of customer orders, and these orders go through several different systems before the number is ported and the old service is disconnected. This processing is often done serially — an order must be successfully processed by one system before it moves on to the next.

22. Under the provisioning flows developed by the NANC, the porting process starts with the new service provider's sending an LSR to Verizon, which indicates that a customer will be porting her number to it. Verizon must perform a number of edit checks to ensure all necessary data has been included. If it has, then Verizon returns an acknowledgement of receipt of the LSR to the new provider.

23. After Verizon acknowledges the LSR, Verizon starts the process that will result in its generation of the firm order confirmation, or FOC. This includes confirming that the telephone

number is in Verizon's billing records and that it may be ported and determining whether there are any additional numbers and directory listings associated with the account, and, if so, whether they have been addressed on the LSR to port the number.

24. After this review is completed, Verizon must translate the request into a service order to move the request to and through Verizon's ordering, provisioning, billing and maintenance work groups. This process includes a review to determine if the telephone number is associated with a complex product (*e.g.*, PBX, Centrex, interoffice facilities). The request must also be reviewed for any additional associated equipment or groups of telephone numbers that would have to be reworked in order to free the telephone number to port out. If no issues are identified that require the request to be sent to a negotiator for in-depth review, it is released into the initial provisioning systems, and a FOC is returned to the new service provider.

25. Information from the service order now must be edited and reformatted for use by other provisioning systems. This editing includes verification that the telephone number is resident in Verizon's provisioning systems. The request is then forwarded to the next provisioning work group. This work group checks the information on the request against information in various internal systems (such as, the central office and loop equipment inventory systems). After these steps are completed, the service order is then distributed to the next work groups, the central office and switch technicians. When their review is completed, the telephone number is ready for porting.

26. On the agreed upon porting date, the new provider forwards an activation message to the NPAC, which has the effect of redirecting calls to the number to the new provider. Verizon then removes the translations for the ported number from its switch.[1]

27. Second, as the NANC explained, many carriers use batch processing:

> "Many of the SPs that are participating in Local Number Portability (LNP) employ the use of large mainframe computer systems. These systems are the core processing systems that run their business operations and provide service to their customers. Most of these existing systems use a batch processing method, which means collecting data during the normal work day and then sorting, processing and distributing this data to other internal and external systems during off peak hours."

3rd Report at 13. This batch processing, of course, makes a porting interval of two-and-a-half hours impossible.

28. The systems involved do not merely support number portability, but rather are used to support the LEC's business operations generally. Moreover, they "are inter-dependant on one another, a change to one system may have a cascading effect on the next system. It is estimated a reduction in the porting interval could impact at least 10 to 15 major existing systems within a company." 3rd Report at 14. The NANC concluded that for a carrier "to consider a change from batch processing to real time data processing would require an in-depth systems analysis of all business processes that use these systems," which "would be a very labor intensive and time consuming effort." 3rd Report at 14.

29. Finally, again as the NANC reported, a porting interval of a few hours could increase LEC personnel and staffing costs. "Changing from the batch processing method of

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[1] Additional activities take place after the port has been completed, including sending completion notifications to the new provider, sending the order to the 911 system to unlock the 911 database so the record can be modified or deleted, and updating Verizon's billing records and maintenance systems.

operation could extend staffing hours, particularly on the weekends. Operational changes of this nature could require 24 hours, 7 days a week (24x7) operations...." This "would require staffing on a 24x7 basis, thus increasing expense to the companies' operation and thus the consumer." 3rd Report at 14.

30. There is evidence that some CMRS providers are not attempting to meet the shorter, two-and-a-half-hour interval. Verizon asked NeuStar, the pooling administrator, for an aggregate ad hoc report of how many CMRS service provider IDs were using the longer timer for all ports, including CMRS-to-CMRS ports. NeuStar reported that 24 out of 162 did so. On ports between such a carrier with the long timer and a carrier which had asked for a short timer, the longer timer would control the porting interval.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on February 4, 2004

Michael O'Connor III